

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Victor M. Kern,

Civil No. 15-3008 (JRT/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Dept. of Justice,

Defendant.

Victor M. Kern, 12485 150th Street, Wadena, MN 56482, *pro se* plaintiff,

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS HEREBY ORDERED:**

1. Defendant's action is **DISMISSED** for lack of subject matter jurisdiction; and
2. Defendant's Motion to Transfer/Change Venue, Motion to Except [sic] Service by Certified Mail/ Motion to Incur Fees, [Docket No. 3], is **DISMISSED** as moot.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 18, 2015
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court